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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,411	12/27/2001	Michael N. Kloos	29250/CE08453I	1168

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EXAMINER	
BOAKYE, ALEXANDER O	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/034,411	KLOOS ET AL.	
	Examiner	Art Unit	
	ALEXANDER BOAKYE	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-4 and 9-16* is/are allowed.

6)☒ Claim(s) *5-8,17,23 and 24* is/are rejected.

7)☒ Claim(s) *18-22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 17, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wan (6,044,069) in view of Suzuki et al. (US Patent # 5,301,225).

Regarding claim 17, Wan teaches a method for receiving at a base station having an associated cell site identifier (ID), a time slot of information having a training period therein (see Fig. 1; the claimed cell site identifier is resident at the base station as evidenced by Wan) the method comprising: receiving the time slot of information and outputting a receive signal based thereon (column 15, lines 41-42) ; determining if the training period includes the cell site ID associated with the base station (column 15,lines 41-47 ; the claimed training period is inherent in the synchronization sequence 606 of Wan) wherein the cell site ID is sent by the mobile station and received by the base station ; discarding the time slot of information if the cell site ID is not included in the training period (column 20, lines 63-64; the claimed training period is inherent in the synchronization

sequence 606 of Wan) ; decoding the time slot of information if the cell site ID is not included (column 15, lines 41-47). Wan differs from the claimed invention in that Wan does not disclose that the cell site ID is sent by the mobile station and received by the base station. However, Suzuki from the same field of endeavor discloses that the cell site ID is sent by the mobile station and received by the base station (column 5, line 66-column 6, lines 1-12). One of ordinary skill in the art would have been motivated to incorporate the cell site ID sent by the mobile station and received by the base station into the communication network in order to be able to inform the mobile station of the blocking information according to the information on the memory. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate cell site ID sent by the mobile station and received by the base station into the communication network of Wan with the motivation being that it provides capability for the system to block of information.

Regarding claim 23, Wan teaches that the cell site ID comprises a global cell site identifier of the base station (the claimed global cell site identifier is contained at the base station of Wan).

Regarding claim 24, Wan teaches that the cell site ID comprises a local cell site identifier of the base station (the claimed local cell site identifier is resident at the mobile unit memory).

2. Claims 5, 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malkamaki et al. (EPA # 0615352) in view of Suzuki et al. (US Patent # 5,301,225).

Regarding claim 5, Malkamaki teaches a method of sending information from a mobile station to a base station having an associated cell site identifier (column 3, lines 51-53), the method comprising: obtaining the cell site ID associated with the base station (the claimed cell site ID associated with the base station is inherent in the base); determining an appropriate time slot in which to transmit information (see Fig. 2); determining if a training waveform is to be transmitted during the appropriate time slot (column 4, lines 50-55 ; the claimed training waveform corresponds to training sequence of Malkamaki) and transmitting the cell site ID associated with the base station when the training waveform is not transmitted during the appropriate time slot (column 4, lines 44-50). Malkamaki differs from the claimed invention in that Malkamaki does not disclose that the cell ID is obtained from the memory of the mobile station.

However, Suzuki from the same field of endeavor discloses that the cell ID is obtained from the memory of the mobile station (column 3, lines 3-5; see 115 of Fig. 5). One of ordinary skill in the art would have been motivated to incorporate cell ID obtained from the memory of the mobile station into communication network in order to be able to inform the mobile station of the blocking information according to the information on the memory. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate cell ID obtained from the memory of the

mobile station such as the one taught by Suzuki into the communication network of Wan with motivation being that it provides capability for the system to perform blocking.

Regarding claim 6, Malkamaki teaches that the cell site ID comprises a global cell site identifier of the base station (the claimed global cell site identifier is inherent in the base station of Malkamaki).

Regarding claim claim 7, Malkamaki teaches that the cell site ID comprises a local cell site identifier of the base station (the local cell site identifier is stored in the mobile unit memory).

Regarding claim 8, Malkamaki teaches sending information to the base station in a time-multiplexed manner (see Fig. 2; Time-division multiple access, TDMA, is a multiplexing technique for sharing a transmission medium, the bandwidth of the transmission medium is shared by establishing a sequence of time slots during which individual sources can transmit signals).

Allowable Subject Matter

3. Claims 18-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-4 and 9-16 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 1-4, the prior art of record does not teach a second

instruction set stored in the memory and adapted to cause the processor to determine an appropriate time slot in which to transmit information ; a third instruction set stored in the memory and adapted to cause the processor to determine if a training waveform is to be transmitted during a training period of the appropriate time slot; and a fourth instruction set stored in the memory and adapted to cause the processor to control the transmitter to send the cell site ID associated with the base station when the training waveform is not transmitted during the training period of the appropriate time slot.

As to claims 9-16, the prior art of record does not teach a second instruction set stored in the memory and adapted to cause the processor to discard the time slot of information if the cell site identifier is not included in the training period; a third instruction set stored in the memory and adapted to cause the processor to decode the time slot of information if the cell site ID is included in the training period.

Response to Arguments

4. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner
AB
8/07/06

CHI PHAM
SUPERVISORY PATENT EXAMINER